



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

January 5, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: *for* William T Fujioka
Chief Executive Officer

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QUARTERLY STATUS OF FOSTER YOUTH IDENTITY THEFT

This is in response to the March 24, 2009 motion by Supervisor Antonovich which instructed the Chief Executive Officer, the Director of Children and Family Services (DCFS), and the Chief Probation Officer to report back to your Board within 30 days and quarterly thereafter, on:

1. The scope of foster youth identity theft in Los Angeles County and the effectiveness of measures taken to address this problem;
2. Whether AB 2985 and subsequent State implementation instructions sufficiently address the problem and allow the disclosure of all types of identity theft affecting our foster youth; and
3. The County's plan and resources needed to implement the services required by AB 2985.

This update will focus on the status of the pending All County Letter (ACL), AB 1324 (Bass), and the Identity Theft Protocol, which is in development for the local pilot.

"To Enrich Lives Through Effective And Caring Service"

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All County Letter

The ACL from the California Department of Social Services has not yet been finalized or released.

AB 1324

AB 1324, which would have amended AB 2985 to allow governmental or nonprofit organizations to assist foster youth in remediating identity theft, was vetoed by Governor Schwarzenegger on October 12, 2009. Governor Schwarzenegger's statement indicated that AB 2985 was signed in 2006 and has not yet been fully implemented because of the State's fiscal challenges. He further stated that since the current program is not yet fully operational, AB 1324 is premature and may have the unintended consequence of shifting county workload to the State.

Identity Theft Protocol for the Pilot

The Department of Children and Family Services and Probation Youth Development Services Division (YDS) have been working closely with the California Office of Privacy Protection, the Los Angeles County Department of Consumer Affairs, and representatives from the three credit reporting agencies – Equifax, Experian, and TransUnion to develop a protocol for the pilot (Attachment).

A Blanket Order developed with County Counsel, allowing credit reporting agencies to process credit checks on behalf of dependent youth is in the final stages of approval. The Blanket Order will be reviewed by the Children's Law Center of Los Angeles and Los Angeles Dependency Lawyers prior to submission for approval to the Juvenile Court Presiding Judge Michael Nash.

Secure data transfer of information on behalf of eligible minors between the ages of 16 and 18 to the credit reporting bureaus is being developed. Three designated Secure File Transfer Protocol (SFTP) sites will be established. The SFTP is a network protocol that provides file access, file transfer, and file management functionality to reliable data streams.

The credit reporting agencies have been very involved and committed. All three agencies have agreed to take action and immediately notify the designated remediation organizations and YDS when identity theft is suspected and/or detected. Once the youth's credit has been cleared, the credit reporting agencies will freeze their credit record until the youth has had jurisdiction terminated. Discussion of law enforcement notification responsibility and the process for notifying credit bureaus of terminated

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jurisdiction are ongoing. YDS will continue to direct foster youth age 18 and older to AnnualCreditReport.com, the only authorized federal source for obtaining free annual credit reports, to check the status of their credit. YDS staff have been designated as the departmentwide contact and will assist youth with securing their credit reports.

If you have any questions or need additional information, please let me know, or your staff may contact Jenny Serrano at (213) 974-4171, or via e-mail at jserrano@ceo.lacounty.gov.

WTF:JW:KH
JS:hn

Attachment

c: Executive Officer, Board of Supervisors
Acting County Counsel
Department of Children and Family Services
Department of Consumer Affairs
Probation Department

Quarterly Status of Foster Youth Identity Theft_Board Memo

**Protocol for Pilot Test of Foster Youth Identity Theft Remediation Program
L.A. County, November 2009**

1. Department of Child and Family Services (DCFS) sends list of 15-25 foster youth with related data to three nationwide credit reporting agencies (CRAs) – Equifax, Experian, TransUnion.
 - a. Data to be provided for each child:
 - i. Full name
 - ii. Social Security number
 - iii. Current address
 - iv. Previous addresses
 - v. Birth date
 - vi. County point of contact name and contact information
 - vii. Social worker name and contact information
 - viii. County case number
 - ix. Contact information for appropriate remediation agency (either L.A. County Department of Consumer Affairs [DCA] or California Office of Privacy Protection [COPP]).¹
 - b. DCFS post the list on the Secure File Transfer Protocol (SFTP) web site for each of the three CRAs.
 - i. According to the procedures for posting, as developed by the CRAs and L.A. County.
 - ii. After posting the list, DCFS will send emails to designated contacts at the CRAs, informing them that the list has been posted.
2. CRAs check information in list against their data bases, to determine whether a credit record exists for each identity.
 - a. CRAs mark on list provided indicating whether or not a record was found for each identity.
 - b. CRAs post the marked list on the same SFTP web sites and send emails to DCFS designee indicating that list is available.
 - c. CRAs send credit reports found to the designated remediation agency, through the same SFTP procedure, notifying the agency by email that the reports are available.

¹ For this pilot test, half the names will be assigned to DCA as the remediation agency and half to COPP. For the full implementation of the program, all L.A. County youth will be assigned to DCA for remediation. COPP will be handling other counties.

3. Remediation agencies (DCA and COPP) review the reports, contact CRAs, creditors and others as necessary to resolve problems and clear up erroneous or identity-theft-related issues.
 - a. Once remediation agency has confirmed final clearance with CRAs, CRAs will suppress the identity of the former identity theft victim in their records. This means that no further information can attach to the identity until the youth reaches adulthood (18).²
 - b. Remediation agencies will inform DCFS when each youth's file has been cleared and identity suppressed in the CRA files.
 - c. Remediation agencies will provide DCFS with credit reports and related correspondence for inclusion in youth's file, to be provided to the youth as appropriate upon emancipation.
 - d. Remediation agencies will provide DCFS with agreed-upon aggregate data about foster youth identity theft among their population and statewide (quarterly or annually).

² Educational materials will be provided by DCA and COPP for use in ILP programs, to prepare youth at emancipation to check their credit reports regularly. The materials will also cover preventing and clearing up identity theft.

